

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Brines, et al.	Confirmation No.:	7980
Serial No.:	10/676,694	Art Unit:	1646
Filed:	September 30, 2003	Examiner:	Li, Ruixiang
For:	TISSUE PROTECTIVE CYTOKINE RECEPTOR COMPLEX AND ASSAYS FOR IDENTIFYING TISSUE PROTECTIVE COMPOUNDS	Attorney Docket No:	10165-027-999

REQUEST TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Mail Stop After Final
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that the inventorship of the above-identified patent application be corrected¹ under 37 C.F.R. § 1.48(a) to delete the names of Pietro Ghezzi residing at Via Mac Mahon No. 82, Milan, I-20155, Italy; Fabio Fiordaliso residing at Via Lorenzo di Credi 10, Milan, I-20149, Italy; Maddalena Fratelli residing at Via Costanza 4, Milan, I-20146, Italy; Marcel Leist residing at Kloevertbladsgade 14.1, Valby, DK-2500, Denmark; Mette Nielsen residing at Gladsaxevej 73.3.th, Soborg, DK-2860, Denmark; Thomas Sager residing at Stormosevej 35, Smorum, DK-2765, Denmark; Lars Ostergaard Pedersen residing at Ved Vigen 14, Copenhagen, DK-2400, Denmark and Jens Gerwien

¹ Refer also to the Request for Correction of Inventorship Under 37 C.F.R. § 1.48(a), filed June 15, 2005.

residing at Haraldsgade 52, 1.tv, Copenhagen, DK-2100, Denmark as co-inventors of the subject matter claimed in the above-identified patent application.

Applicants concurrently submit herewith:

- (1) a Statement Of Inventor Being Deleted Pursuant To 37 C.F.R. § 1.48(a)(2) by Pietro Ghezzi;
- (2) a Statement Of Inventor Being Deleted Pursuant To 37 C.F.R. § 1.48(a)(2) by Fabio Fiordaliso;
- (3) a Statement Of Inventor Being Deleted Pursuant To 37 C.F.R. § 1.48(a)(2) by Maddalena Fratelli;
- (4) a Statement Of Inventor Being Deleted Pursuant To 37 C.F.R. § 1.48(a)(2) by Marcel Leist;
- (5) a Statement Of Inventor Being Deleted Pursuant To 37 C.F.R. § 1.48(a)(2) by Mette Nielsen;
- (6) a Statement Of Inventor Being Deleted Pursuant To 37 C.F.R. § 1.48(a)(2) by Thomas Sager;
- (7) a Statement Of Inventor Being Deleted Pursuant To 37 C.F.R. § 1.48(a)(2) by Lars Ostergaard Pedersen;
- (8) a Statement Of Inventor Being Deleted Pursuant To 37 C.F.R. § 1.48(a)(2) by Jens Gerwien;
- (9) an executed Declaration by the actual inventors of the presently claimed subject matter, Michael Brines, Anthony Cerami and Thomas Coleman Pursuant To 37 C.F.R. § 1.48(a)(3);
- (10) a Consent By Co-Assignee For Correction Of Inventorship Pursuant To 37 C.F.R. § 1.48(a)(5) by the Kenneth S. Warren Institute, Inc.; and
- (11) a Consent By Co-Assignee For Correction Of Inventorship Pursuant To 37 C.F.R. § 1.48(a)(5) by H. Lundbeck A/S.

The names of Pietro Ghezzi, Fabio Fiordaliso, Maddalena Fratelli, Marcel Leist, Mette Nielsen, Thomas Sager, Lars Ostergaard Pedersen, and Jens Gerwien were added to the instant patent application through error and without any deceptive intention on their part. Thus, the inventorship of the claims in the instant patent application should be corrected to name the following actual inventors: Michael Brines, Anthony Cerami, and Thomas Coleman.

Applicants submit that all of the requirements of 37 C.F.R. § 1.48(a) have been met and respectfully request that this request be granted and that the inventorship be corrected.

Pursuant to 37 C.F.R. § 1.48(a)(4) and § 1.17(i), it is believed that a fee of \$130.00 is due for submission of this request. Please charge the required fee and any deficiencies to Jones Day Deposit Account Number 50-3013.

Respectfully submitted,

Date: July 8, 2009

Laura A. Coruzzi 30,742
Laura A. Coruzzi (Reg. No.)
JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

Enclosures

by Aileen G. Fahney 46,097

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For:	TISSUE PROTECTIVE CYTOKINE RECEPTOR COMPLEX AND ASSAYS FOR IDENTIFYING TISSUE PROTECTIVE COMPOUNDS	Attorney Docket No:	10165-027-999

STATEMENT OF INVENTOR BEING DELETED
PURSUANT TO 37 C.F.R. § 1.48(a)(2)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Pietro Ghezzi, have reviewed and understand the content of the Request to Correct Inventorship Under 37 C.F.R. §1.48(a) submitted concurrently herewith, to correct inventorship in the above-identified application. I hereby state that my name was inadvertently added, without deceptive intent, as a co-inventor of the currently claimed subject matter of the above-identified patent application. There was no deceptive intent on my part in the addition of my name as a co-inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

10/22/2008

Date

Pietro Ghezzi

Pietro Ghezzi

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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PURSUANT TO 37 C.F.R. § 1.48(a)(2)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Fabio Fiordaliso, have reviewed and understand the content of the Request to Correct Inventorship Under 37 C.F.R. § 1.48(a) submitted concurrently herewith, to correct inventorship in the above-identified application. I hereby state that my name was inadvertently added, without deceptive intent, as a co-inventor of the currently claimed subject matter of the above-identified patent application. There was no deceptive intent on my part in the addition of my name as a co-inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

3/30/2008

Fabio Fiordaliso

NYI-4114804v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Sir:

I, Maddalena Fratelli, have reviewed and understand the content of the Request to Correct Inventorship Under 37 C.F.R. § 1.48(a) submitted concurrently herewith, to correct inventorship in the above-identified application. I hereby state that my name was inadvertently added, without deceptive intent, as a co-inventor of the currently claimed subject matter of the above-identified patent application. There was no deceptive intent on my part in the addition of my name as a co-inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

March 30, 2009
Date

Maddalena Fratelli
Maddalena Fratelli

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Brines, et al.	Confirmation No.:	7980
Serial No.:	10/676,694	Art Unit:	1646
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PURSUANT TO 37 C.F.R. § 1.48(a)(2)

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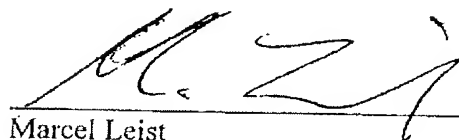
Sir:

I, Marcel Leist, have reviewed and understand the content of the Request to Correct Inventorship Under 37 C.F.R. §1.48(a) submitted concurrently herewith, to correct inventorship in the above-identified application. I hereby state that my name was inadvertently added, without deceptive intent, as a co-inventor of the currently claimed subject matter of the above-identified patent application. There was no deceptive intent on my part in the addition of my name as a co-inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

8. Sept. 08

Date



Marcel Leist

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Brines, et al.	Confirmation No.:	7980
Serial No.:	10/676,694	Art Unit:	1646
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PURSUANT TO 37 C.F.R. § 1.48(a)(2)

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Alexandria, VA 22313-1450

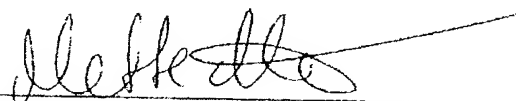
Sir:

I, Mette Nielsen, have reviewed and understand the content of the Request to Correct Inventorship Under 37 C.F.R. § 1.48(a) submitted concurrently herewith, to correct inventorship in the above-identified application. I hereby state that my name was inadvertently added, without deceptive intent, as a co-inventor of the currently claimed subject matter of the above-identified patent application. There was no deceptive intent on my part in the addition of my name as a co-inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

8/9-08

Date



Mette Nielsen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Brines, et al.	Confirmation No.:	7980
Serial No.:	10/676,694	Art Unit:	1646
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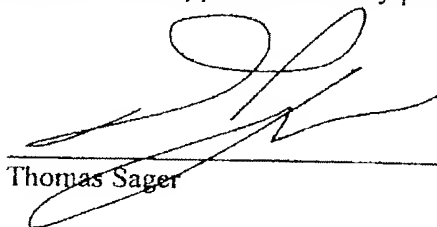
Sir:

I, Thomas Sager, have reviewed and understand the content of the Request to Correct Inventorship Under 37 C.F.R. § 1.48(a) submitted concurrently herewith, to correct inventorship in the above-identified application. I hereby state that my name was inadvertently added, without deceptive intent, as a co-inventor of the currently claimed subject matter of the above-identified patent application. There was no deceptive intent on my part in the addition of my name as a co-inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

8/9-08

Date



Thomas Sager

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Brines, et al.	Confirmation No.:	7980
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STATEMENT OF INVENTOR BEING DELETED
PURSUANT TO 37 C.F.R. § 1.48(a)(2)

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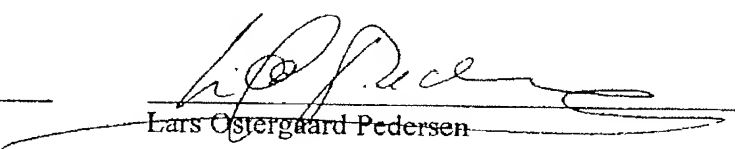
Sir:

I, Lars Ostergaard Pedersen, have reviewed and understand the content of the Request to Correct Inventorship Under 37 C.F.R. § 1.48(a) submitted concurrently herewith, to correct inventorship in the above-identified application. I hereby state that my name was inadvertently added, without deceptive intent, as a co-inventor of the currently claimed subject matter of the above-identified patent application. There was no deceptive intent on my part in the addition of my name as a co-inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

10/9-08


Lars Ostergaard Pedersen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Brines, et al.	Confirmation No.:	7980
Serial No.:	10/676,694	Art Unit:	1646
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STATEMENT OF INVENTOR BEING DELETED
PURSUANT TO 37 C.F.R. § 1.48(a)(2)


Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Jens Gerwien, have reviewed and understand the content of the Request to Correct Inventorship Under 37 C.F.R. §1.48(a) submitted concurrently herewith, to correct inventorship in the above-identified application. I hereby state that my name was inadvertently added, without deceptive intent, as a co-inventor of the currently claimed subject matter of the above-identified patent application. There was no deceptive intent on my part in the addition of my name as a co-inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

12/October 2008
Date


Jens Gerwien

DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

TISSUE PROTECTIVE CYTOKINE RECEPTOR COMPLEX, ASSAYS FOR IDENTIFYING TISSUE PROTECTIVE COMPOUNDS AND USES THEREOF

and for which a patent application:

- ☐ is attached hereto and includes amendment(s) filed on (if applicable)
- ☒ was filed in the United States on September 30, 2003 as Application No. 10/676,694 (for declaration not accompanying application)

☐ was filed as PCT international Application No.

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION				
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED	
			YES <input type="checkbox"/>	NO <input type="checkbox"/>
			YES <input type="checkbox"/>	NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

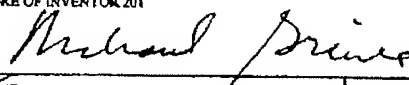
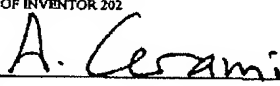

PROVISIONAL APPLICATION NUMBER	FILING DATE
60/465,891	April 25, 2003

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

*
for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	LAST NAME Brines	FIRST NAME Michael	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Woodbridge	STATE OR FOREIGN COUNTRY Connecticut	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 1 Wepawaug Road	CITY Woodbridge	STATE OR COUNTRY Connecticut	ZIP CODE 06525
	SIGNATURE OF INVENTOR 201 			DATE 9-10-2008	
2 0 2	FULL NAME OF INVENTOR	LAST NAME Cerami	FIRST NAME Anthony	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Somers	STATE OR FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 58A Heritage Hills	CITY Somers	STATE OR COUNTRY New York	ZIP CODE 10589
	SIGNATURE OF INVENTOR 202 			DATE 9/19/2008	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Coleman	FIRST NAME Thomas	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Mt. Kisco	STATE OR FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 20 Emery Street	CITY Mt. Kisco	STATE OR COUNTRY New York	ZIP CODE 10549
	SIGNATURE OF INVENTOR 203 			DATE 9/10/2008	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Brines, et al.	Confirmation No.:	7980
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**CONSENT BY CO-ASSIGNEE FOR CORRECTION OF
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(a)(5)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Kenneth S. Warren Institute, Inc., having an office for transaction of business at 712 Kitchawan Road, Ossining, NY 10562, United States, as co-assignee of right, title and interest in, to and under the invention claimed in U.S. patent application Serial No. 10/676,694, filed September 30, 2003, entitled "TISSUE PROTECTIVE CYTOKINE RECEPTOR COMPLEX AND ASSAYS FOR IDENTIFYING TISSUE PROTECTIVE COMPOUNDS," hereby consents to amendment of the application to name the following actual inventors: Michael Brines, Anthony Cerami and Thomas Coleman.

The Kenneth S. Warren Institute, Inc. and H. Lundbeck A/S together own the entire right, title, and interest in the invention claimed in the above-identified application. The Kenneth S. Warren Institute, Inc. is a co-assignee by virtue of assignments from the named inventors

Michael Brines, Anthony Cerami, Pietro Ghezzi, Fabio Fiordaliso, Maddalena Fratelli and Thomas Coleman. The assignment from the named inventors Michael Brines, Anthony Cerami, Pietro Ghezzi, Fabio Fiordaliso and Maddalena Fratelli was recorded in the United States Patent and Trademark Office as of August 9, 2004 at Reel/Frame 015668/0212. The assignment from the named inventor Thomas Coleman was recorded in the United States Patent and Trademark Office as of June 23, 2005 at Reel/Frame 016714/0248. A Consent By Co-Assignee For Correction Of Inventorship Pursuant To 37 C.F.R. § 1.48(a)(5) by H. Lundbeck A/S is submitted concurrently herewith.

The undersigned is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: June 4, 2009 Parla Cerami Hand
Signature

Parla Cerami Hand
Name of Signatory on behalf of The Kenneth S. Warren Institute, Inc.
President
Title of Signatory

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**CONSENT BY CO-ASSIGNEE FOR CORRECTION OF
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(a)(5)**

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Sir:

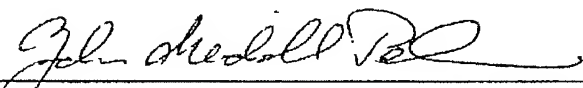
H. Lundbeck A/S, having an office for transaction of business at Ottiliavej 9, Valby-Copenhagen, DK-2500, Denmark, as co-assignee of right, title and interest in, to and under the invention claimed in U.S. patent application Serial No. 10/676,694, filed September 30, 2003, entitled "TISSUE PROTECTIVE CYTOKINE RECEPTOR COMPLEX, ASSAYS FOR IDENTIFYING TISSUE PROTECTIVE COMPOUNDS AND USES THEREOF," hereby consents to amendment of the application to name the following actual inventors: Michael Brines, Anthony Cerami and Thomas Coleman.

The Kenneth S. Warren Institute, Inc. and H. Lundbeck A/S together own the entire right, title, and interest in the invention claimed in the above-identified application. H. Lundbeck A/S is a co-assignee by virtue of assignments from the named inventors Jens Gerwien, Lars

Ostergaard Pedersen, Marcel Leist, Thomas Sager and Mette Nielsen. The assignment from the named inventors Jens Gerwien, Lars Ostergaard Pedersen, Marcel Leist and Thomas Sager was recorded in the United States Patent and Trademark Office as of June 23, 2005 at Reel/Frame 016723/0126. The assignment from the named inventor Mette Nielsen was recorded in the United States Patent and Trademark Office as of June 23, 2005 at Reel/Frame 016713/0762. A Consent By Co-Assignee For Correction Of Inventorship Pursuant To 37 C.F.R. § 1.48(a)(5) by The Kenneth S. Warren Institute is submitted concurrently herewith.

The undersigned is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 13 NOVEMBER 2008 
Signature

JOHN MEIDAHN PETERSEN
Name of Signatory on behalf of H. Lundbeck A/S

DIVISIONAL DIRECTOR
Title of Signatory